

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, AUGUST 24, 2017

Presiding: Mayor David D. Ogden  
Meeting Convened at 6:40 p.m.  
Prayer: Brent Barrus  
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Brent Barrus, Joe Cherrington, Bruce King, and Greg Venema; City Public Works Director Zane Baler; Chairman Dave Thompson of the Planning and Zoning Commission; Adam Jacobs of the *Standard Journal*; Citizens Joy Ball, Sean Bartholick, L. Gene Jeppson, Elaine King, Barbara Lusk, Catherine Nielsen, Quinton Owens, and Vaun Waddell.

**MINUTES:** Mayor Ogden asked if there were any corrections to the revised minutes of the regular meeting held on August 10, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Barrus and seconded by Councilman Venema to accept the minutes; motion carried. Councilman King asked that the public hearing held on August 10, 2017, be transcribed and made available to the public. The mayor agreed to ask City Attorney Bill Forsberg to transcribe the meeting.

**PUBLIC HEARING (New Water Rate Base Fee Schedule):** Mayor Ogden welcomed everyone and brought the public hearings to order. He gave a brief review of the water study conducted by Forsgren and Associates and their recommendation to use the Equivalent Residential Unit (ERU) \$34 as the base rate. The table contains fee schedules for all types of entities relevant to one ERU. The schedule is used by most municipalities and is considered more equitable. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the new water rate schedule. No one testified.

The mayor called for those neutral to the new water rate schedule. Joy Ball indicated she was neutral. No one testified.

The mayor called for those against the new water rate schedule. Catherine Nielsen indicated she was against the change. No one testified.

6:45 p.m.      The public hearing ended.

**PUBLIC HEARING (New Sewer User Fee Increase):** Mayor Ogden introduced the second public hearing for the proposed new sewer user fee. He explained the need to raise the user rate from \$3.00/thousand gallons of sewage to \$3.15/thousand gallons of sewage because of Rexburg's rate increase of .15 cents/thousand gallons to the city. The city of Rexburg recently improved their sewer treatment system. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the new sewer rate. No one testified.

The mayor called for those neutral to the new sewer rate. Joy Ball indicated she was neutral. No one testified.

The mayor called for those against the new sewer rate. No one testified.

6:50 p.m.      The public hearing ended.

**PUBLIC HEARING (Mayoral Salary Increase):** Mayor Ogden introduced the third public hearing for the proposed mayoral salary increase from \$800/month to \$1,000/month. Last month the council discussed the idea of raising the council and mayoral salaries but only agreed to raise the mayor's salary since his work load had noticeably increased. Council pay and benefits will remain the same. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the mayoral salary increase. No one testified.

The mayor called for those neutral to the mayoral salary increase. No one testified.

The mayor called for those against the mayoral salary increase. Joy Ball, Barbara Lusk, and Catherine Nielsen indicated they were against the increase. Testimony is summarized below.

**Joy Ball** testified that the mayoral and council seats in Sugar City have always been positions of service to the city and its citizens. No benefits or pay increases should be sought after.

**Barbara Lusk** also testified that the council and mayoral seats are positions of service. It is not right to vote for your own pay increase. The United States Senate cannot vote for their own pay increase but can only vote to increase it for those who follow.

6:55 p.m.      The public hearing ended.

**PUBLIC HEARING (New Animal Fees Including Dogs):** Mayor Ogden gave a brief summary of the proposed new animal fees and increased dog license fees from \$12/year to \$15/year. Wendy McLaughlin reported that there were no prior written testimonies submitted.

The mayor called for those in favor of the animal fees. No one testified.

The mayor called for those neutral to the animal fees. Joy Ball indicated she was neutral. No one testified.

The mayor called for those against the animal fees. No one testified.

6:55 p.m.      The public hearing ended.

**PUBLIC HEARING (2017-18 Proposed Appropriations Budget):** Mayor Ogden gave a brief summary of the proposed budget. He explained that replacement and maintenance of an aging infrastructure is one of the reasons spending has increased. Wendy McLaughlin reported that

there were no prior written testimonies submitted.

The mayor called for those in favor of the proposed budget. No one testified.

The mayor called for those neutral to the proposed budget. No one testified.

The mayor called for those against the proposed budget. Joy Ball, L. Gene Jeppson, Elaine King, and Vaun Waddell indicated they were against the proposed budget. Testimony is summarized below.

**Joy Ball** testified she is against the budget, which includes a salary increase for the council and mayor and is against any benefits for elected officials supported by taxpayer monies.

**L. Gene Jeppson** testified he did not like what seemed to be a “special deal” on sewer hook-up fees for the developers of Old Farm Estates – Ryan and Jeff Lerwill.

**Elaine King** testified she is against the proposed budget for the reasons just named and asked why budgeted insurance items went from \$14,000 this year to \$2,500 for 2018 and why miscellaneous revenues were being projected at \$104,000 but expenditures for miscellaneous items were projected at about \$260,000. She also asked what full-time employee benefits consist of, since the budget showed the City Council would receive the same benefits as full-time employees.

**Vaun Waddell** testified that in reviewing the proposed budget it seemed that historical principles of government had changed from volunteer and public service to government by hired help. For example, the raises for the mayor and City Council, hiring an enforcement officer, legal expenses increasing exponentially, and miscellaneous other expenditures.

7:15 p.m. The public hearing ended and the regular council meeting began.

**RESOLUTION NO. 2017-15 (Adoption of Equivalent Residential Units (ERU) as Water Base Fee Schedule):** The council adopted the water base fee schedule recommended by Forsgren and Associates as a more equitable way to assess fees for both residential and commercial properties and is widely used by other municipalities. Customers using a ¾” meter will notice a \$10 increase to base fees, while those using a 1” meter size will see no increase to their base fees. Resolution 2017-15 was introduced and read in full by Councilman Cherrington.

**MOTION:** It was moved by Councilman Cherrington and seconded by Councilman Venema to adopt Resolution No. 2017-15; motion carried. A copy of said resolution is attached hereto marked “Attachment #1.”

**RESOLUTION NO 2017-16 (Adoption of New Sewer User Rate):** The \$0.15 increase in the sewer user rate was dictated by the City of Rexburg’s increase to the city. The sewer base rate will remain the same. The council asked that the increase be shown from the current rate. Resolution 2017-16 was introduced and read in full by Councilman Cherrington.

**MOTION:** It was moved by Councilman Cherrington and seconded by Councilman King to adopt Resolution No. 2017-16; motion carried. A copy of said resolution is attached hereto marked “Attachment #2.”

**ORDINANCE NO. 328\_2017 (Approving Compensation for Elected City Officials):** The council discussed the merits of raising the council and mayoral salaries, when tradition has been to serve the city in these elected positions as a public service rather than a way to make money. It was also discussed that the mayoral position has become essentially a full-time position, with many responsibilities that larger cities hire out. If tradition remains, could those who would like to serve be unable to serve for lack of money? Councilman King reminded the council that their salaries were significantly raised just two years ago from \$100/month to \$200/month and the mayor's pay went from \$600/month to \$800/month. The council decided to raise the mayor's salary to \$1,000/month and to keep their salaries the same at \$200/month. Optional supplemental health, dental, and vision insurance could be changed to be paid for themselves if they want to participate. Currently the city pays for the council members or mayor but not for family members.

Ordinance No. 328\_2017 was introduced and read by title only by Councilman Barrus entitled:

“AN ORDINANCE ESTABLISHING THE COMPENSATION FOR THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF SUGAR CITY, REPEALING CONFLICTING ORDINANCES, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.”

It was moved by Councilman Barrus and seconded by Councilman Venema to waive reading of the ordinance on three different days and to place it upon its final passage. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilmen Barrus, Cherrington, King, and Venema

Those voting nay: None

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilman Barrus and seconded by Councilman Venema to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilman Barrus, Cherrington, and Venema

Those voting nay: Councilman King

Ordinance No. 328\_2017 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 328\_2017 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

**RESOLUTION NO. 2017-17 (Adoption of Fee Structure for All Animals, Including Dogs):**

Animal Fees are being raised to cover expenses and not to generate a revenue stream. The city does not have a working dog-pound and sends any captured dogs to Rexburg. The budget showed a lower amount being collected from dog tag fees, which were waived earlier in the year in hopes that more people would register their dogs. Resolution 2017-17 was introduced and read in full by Councilman Venema.

**MOTION:** It was moved by Councilman Venema and seconded by Councilman Cherrington to adopt Resolution No. 2017-17; motion carried. A copy of said resolution is attached hereto marked “Attachment #3.”

**ORDINANCE NO. 329\_2017 (Adoption of the 2017-18 Appropriations Ordinance):**

Administrative costs are a large portion of the general-fund budget, Mayor Ogden pointed out. He added that the public has asked that more services be provided. Councilman Barrus felt the city was in good shape, and in reviewing the detailed budget report no “red flags” stood out as unnecessary or extravagant spending.

Ordinance No. 329\_2017 was introduced and read by title only by Councilman Cherrington entitled:

“AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF SUGAR CITY, IDAHO, FOR THE FISCAL YEAR OCTOBER 1, 2017, TO SEPTEMBER 30, 2018, AND APPROPRIATING TO THE SEVERAL DEPARTMENTS, OFFICES AND FUNDS OF THE SAID CITY GOVERNMENT FROM THE REVENUE DERIVED FROM TAXES LEVIED FOR SAID FISCAL YEAR, AND ALL OTHER SOURCES, SUCH SUMS AS MAY BE NECESSARY OR DEEMED NECESSARY BY THE MAYOR AND CITY COUNCIL TO DEFRAY THE EXPENSES AND LIABILITIES OF SAID CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018.”

It was moved by Councilman Cherrington and seconded by Councilman Barrus to waive reading of the ordinance on three different days and to place it upon its final passage. Thereupon the clerk called roll upon the motion.

Those voting aye: Councilmen Barrus, Cherrington, King, and Venema

Those voting nay: None

Thereupon, the mayor declared that the motion, having been passed by not less than two-thirds of the council, had been duly carried. It was moved by Councilman Cherrington and seconded by Councilman Barrus to adopt this ordinance. Thereupon, the clerk called roll upon the motion.

Those voting aye: Councilman Barrus, Cherrington, and Venema

Those voting nay: None

Councilman King abstained from voting, since he did not support the increase in the mayoral salary.

Ordinance No. 329\_2017 was thereupon declared by the mayor to have been duly passed by not less than two-thirds of the council. The clerk will publish Ordinance No. 329\_2017 in summary or full immediately in at least one issue of the *Standard Journal*, a newspaper published in the city of Rexburg, Madison County, Idaho.

**PLANNING AND ZONING REPORT:** Chairman Dave Thompson reported on the following items:

**Third South Variance Permit:** The commission granted the setback variance for Mary Lou Wilding to build on Third South to be consistent with existing home setbacks.

**Duplex Special Use Permit:** The commission recommends granting a special use permit for Dalen Tolman to turn existing residence into a duplex. Most of public comments were in favor. He will need to widen the driveway at least another foot.

**Old Farm Estates Preliminary Plat Permit Public Hearing:** The commission tabled the discussion for the preliminary plat for Block 12 in Old Farm Estates until the next meeting.

They want to clarify the application and public hearing process for the applicant, city, and the public.

**Parking Spaces:** The commission revised the city code to require two parking spaces for each dwelling unit instead of 1.5 spaces.

**PLANNING AND ZONING/DESIGN REVIEW APPOINTMENTS:** Mayor Ogden accepted Clay Rasmussen's resignation from the Design Review Board. He will remain on the Planning and Zoning Commission. The mayor also presented three names of people to serve on the commission, whom he had interviewed and who had accepted the invitation to serve:

Sean Bartholick - attorney

Dan Mecham – high school science teacher

Quinton Owens – Rexburg building inspector

**MOTION:** It was moved by Councilman Cherrington and seconded by Councilman Venema to confirm Sean Bartholick, Dan Mecham, and Quinton Owens to the Planning and Zoning Commission; motion carried.

**MAYOR'S REPORT:** Mayor Ogden reported on the following items:

**Eclipse Report:** The eclipse celebration was very successful. Many spectators complimented the city on friendliness, beauty, and accommodations. Thank you to all those who served or helped in any way. The mayor would like to continue an annual Sugar Days celebration to build on the event. A date will need to be set, and the mayor will create a committee to head up the event.

**Mayors' Meeting Island Park Report:** Twenty-nine mayors met together at the annual mayor's meeting in Island Park. The number one issue discussed was how to deal with the public.

#### **DEPARTMENT REPORTS:**

**COUNCILMAN BARRUS:** Councilman Barrus will tour the city's water and sewer infrastructure with Public Works Director Zane Baler to look for ways to improve it.

**COUNCILMAN CHERRINGTON:** Councilman Cherrington would like to add tube slides to one of the parks. He and his family had so much fun back east with them and thought it would be fun to have here. Zane will get some cost estimates. Obtaining a public-address system for Heritage Park to help with events was also encouraged.

**COUNCILMAN KING:** Barry and Laurie King will step down from the Tree and Beautification Committee in December or sooner. They would like to train a replacement before then.

**COUNCILMAN VENEMA:** The crosswalks and flashing lights are positive safety additions that reflect well on the city.

Meeting adjourned at 9:20 p.m.

Signed: \_\_\_\_\_  
David D. Ogden, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer

**The City of Sugar City, Idaho**

**Resolution No.: 2017 - 15**

**“A Resolution to Adopt the Potable Water Rate Study done by Forsgren Associates Inc. and Approve the Equivalent Residential Unit (ERU) Calculator Recommended Therein for the Purposes of Assessing Water Fees in the City of Sugar City.”**

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WHEREAS, the Council of the City of Sugar City, Idaho desires to adopt the Potable Water Rate Study done by Forsgren Associates Inc. and approve the Equivalent Residential Unit (ERU) calculator recommended in the study, which calculator is attached to this resolution, for the purposes of assessing water fees in the City of Sugar City;

WHEREAS, Forsgren Associates, Inc. (engineer) has indicated that this study has been done in accordance with best practices for municipal utilities, and has used the City's own data and history to accomplish the study;

WHEREAS, the Council of the City of Sugar City, Idaho believes that this study is acceptable and will provide a basis for moving forward with the anticipated growth and diversity in the city;

WHEREAS, the Council of the City of Sugar City, Idaho also desires to set a single Base Rate for all units, rather than multiple rates based on line and meter size, and sets that Base Rate at Thirty-Four Dollars (\$34.00) per month; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

The City Council of the City of Sugar City, Idaho hereby adopts the Potable Water Rate Study done by Forsgren Associates Inc. and approves the ERU calculator for purposes of assessing water fees in the City of Sugar City, and sets the beginning Base Rate for each ERU as indicated above, to begin on October 1, 2017.

PASSED by the Council of the City of Sugar City on this 24<sup>th</sup> day of August, 2017

APPROVED by the Mayor of the City of Sugar City on this 24th day of August, 2017.

(SEAL)

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David D. Ogden,  
Mayor

ATTEST:

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Wendy McLaughlin,  
City Clerk - Treasurer

**RESOLUTION 2017 - 16**

**BE IT RESOLVED** by the Mayor and Sugar City Council that effective October 1, 2017, the sewer and water rates for Sugar City residences and businesses shall be as follows:

**A. SEWER**

1. The base rate for sewer will remain the same at \$17.12 per month.
2. Usage rate will increase from \$3.00 per thousand gallons to **\$3.15** per one thousand gallons of sewage.
3. Outside city limits 125% will increase from \$3.75 per thousand gallons to **\$3.90** per thousand gallons of sewage.
4. New Construction connection fees for sewer will remain at \$2,250.

**B. WATER**

1. Water base rate **\$34.00** per month, equals one Equivalent Residential Unit
2. Usage rate will remain the same at .90c per thousand gallons of water
3. Outside city limits remains at 125% - \$1.13 per thousand gallons of water
4. New construction connection fees for water will remain at \$3,400

UNANIMOUSLY APPROVED AND PASSED BY THE CITY COUNCIL AND  
MAYOR THIS 24th DAY OF AUGUST 2017.

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Dave Ogden, Mayor

ATTEST:

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Wendy McLaughlin, City Clerk-Treasurer

(SEAL)



**The City of Sugar City, Idaho**

**Resolution No.: 2017 - 17**

**“A Resolution to Adopt a Fee Structure for All Animals, Including Dogs, as Authorized in Chapter 4-1-13 and 4-1-14; and Chapter 4-4-10 of the Sugar City Code.”**

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WHEREAS, the Council of the City of Sugar City, Idaho desires to adopt new fees by resolution as authorized in Chapter 4-1-13, 4-1-14, and 4-4-10 in the Sugar City Code, for infraction penalties on all animals, including dogs; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

Chapter 4-1-4: Annual Dog License Fee: The annual license fee is \$15.00 for each dog (prorated if new dog to household for less than a year).

Chapter 4-1-5: Replacement of Dog Tag: Replacement of a tag is \$5.00 for each tag lost.

Chapter 4-1-6 and 4-4-7: Impoundment of All Animals: Impound fee is \$100, plus \$5 a day for boarding. For a dog that is licensed, the fee will go to \$50 for the first offense, plus \$5 a day for boarding, and then the regular fee for any further offense.

Chapter 4-1-6 (d): Disposal of Dogs: If owner is known, then owner will be billed the actual costs of disposal of dog, plus three (3) days care at \$5/day, plus 20% of that total for labor of city employees.

All Other Animal Violations: Infractions of Chapter 1 and Chapter 4 of Title 4 of the City Code shall be assessed a penalty of \$100. If the infraction continues, each day's violation shall be a separate offense. Misdemeanors shall be prosecuted in the Magistrate's Court of the Seventh Judicial District of the State of Idaho, in and for Madison County, with penalties not to exceed the limits set forth in section 1-4-1 of the City Code.

The City Council of the City of Sugar City, Idaho hereby adopts the aforementioned fees and infractions for all animals covered by Chapters 1 and 4 Title 4 of the Sugar City Code.

PASSED by the Council of the City of Sugar City on this 24<sup>th</sup> day of August, 2017

APPROVED by the Mayor of the City of Sugar City on this 24th day of August, 2017.

(SEAL)

ATTEST:

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Wendy McLaughlin,  
City Clerk – Treasurer

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David D. Ogden  
Mayor